

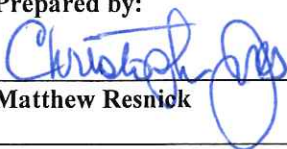


**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**

Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.nj.gov/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the laws and regulations of the State of New Jersey.</p>		<p>Approval Date July 27, 2018</p>
		<p>Expiration Date July 26, 2023</p>
<p>Permit Number(s): 0000-18-0008.1 FWW180001</p>	<p>Type of Approval(s): FWTW4L transition SAW linear development</p>	<p>Enabling Statute(s): N.J.S.A. 13:9B FWPA</p>
<p>Permittee: NJDOT Attention: Brenna Fairfax 1035 Parkway Avenue Trenton, NJ 08625</p>	<p>Site Location: Block(s) & Lot(s): [N/A, N/A] [N/A, N/A] [N/A, N/A] Municipality: Shiloh, Fairfield, Hopewell, Stow Creek, Bridgeton, Millville, Quinton County: Cumberland, Salem</p>	
<p>This permit authorizes the permanent disturbance of 0.020 of an acre of freshwater wetland transition areas, and the temporary disturbance of 0.005 of an acre of freshwater wetland transition areas to replace, upgrade, and extend existing guiderails to meet current Federal Highway Administration requirements. The approved project is located along Route 49, in the Borough of Shiloh, townships of Fairfield, Hopewell, and Stow Creek, the Cities of Bridgeton and Millville in Cumberland County, and the Township of Quinton in Salem County.</p> <p>The project is authorized under a Special Activity Transition Area Waiver for Linear Development at N.J.A.C. 7:7A-8.3. N.J.A.C. 7:7A-8 in the Freshwater Wetlands Protection Act Rules discusses the conditions under which the standard transition area may be modified if the Department determines that the modification will result in minimal environmental impact and that the modified transition area will continue to feature the purposes and functions set forth in N.J.A.C. 7:7A-3.3. Based upon a review of the submitted information, the Division of Land Use Regulation (Division) has determined that the proposed modified transition area as shown on the plans referenced below will continue to serve the functions of a transition area as detailed in the Act and implementing rules, provided that standard conditions set forth in section 7:7A-8 and all permit conditions are met. Any additional un-permitted disturbance of freshwater wetlands, State open waters and/or transition areas besides that shown on the approved plans referenced herein shall be considered a violation of the Freshwater Wetlands Protection Act Rules unless the activity is exempt or a permit is obtained from the Department prior to the start of the proposed disturbance.</p>		
<p>Prepared by:  Matthew Resnick</p>	<p>Received and/or Recorded by County Clerk:</p>	
<p>If the permittee undertakes any regulated activity authorized under a permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the permit and all conditions therein.</p>		
<p align="center">This permit is not valid unless authorizing signature appears on the last page.</p>		

PRE-CONSTRUCTION CONDITIONS:

1. Timing: If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee must comply with such condition(s) within the time required by the permit or, if no time specific requirement is imposed, then within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such condition(s) cannot be satisfied.
2. Prior to the commencement of site clearing, grading or construction, the permittee shall have a silt fence or sediment barrier erected at the limits of disturbance authorized herein and at the limits of the modified transition area as authorized herein. These fences shall serve as both a siltation and debris barrier as well as a physical barrier protecting the wetland and modified transition area from encroachment by construction vehicles or activities. These fences shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized. No regulated activities, including grading or clearing may occur in the wetland or modified transition area on site without the prior approval of the Department.

SPECIAL CONDITIONS:

1. The total amount of disturbance associated with this Transition Area Special Activity Waiver for Linear Redevelopment shall not exceed the permanent disturbance of 0.020 of an acre of freshwater wetland transition areas, and the temporary disturbance of 0.005 of an acre of freshwater wetland transition areas to replace, upgrade, and extend existing guiderails to meet current Federal Highway Administration requirements
2. All temporary disturbances must be permanently discontinued within six months after they are begun, and all temporary disturbed areas must be restored to their original condition.
3. **Material Disposal:** All excavated material and construction debris shall be disposed of in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. The permittee will be responsible for the installation of a sediment barrier around all disturbed soils, which is sufficient to prevent the sedimentation of the remaining wetlands and transition area. In addition, a permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District having jurisdiction over the site.

5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
6. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation by telephone at (609) 777-0454 of any noncompliance within twelve hours of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
7. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
8. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - c. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action.
9. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.
10. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.
11. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
12. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.

13. A permit shall be transferred to another person only in accordance with the regulations N.J.A.C. 7:7A-20.5.
14. A permit can be suspended or terminated by the Department for cause as specified at N.J.A.C. 7:7A-20.8 and 20.9.
15. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
16. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
17. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, seven days prior to the commencement of site preparation or of regulated activities, whichever comes first. The notification shall contain proof of recording of a conservation restriction or easement, if one was required as part of the permit.
18. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris, or structures within or adjacent to the channel while the regulated activity(ies) is being undertaken. Upon completion of the regulated activity(ies), the permittee shall remove and dispose of in a lawful manner, all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
19. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.
20. Best management practices as defined at N.J.A.C. 7:7A-1.3, shall be followed whenever applicable.
21. If the permittee, before or during the work authorizes, encounters a possible historic property, as described at N.J.A.C. 7:7A-19.5(l), that is or may be eligible for listing in the New Jersey or National Register, the permittee shall preserve the resource and immediately notify the Department and proceed as directed.
22. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to the Division of Land Use Regulation at the address set forth at N.J.A.C. 7:7A-1.4.

APPROVED PLANS:

The drawings hereby approved are 3 sheet(s) prepared by Steven C. Flormann, of the HNTB Corporation, dated March 9, 2018, unrevised entitled:

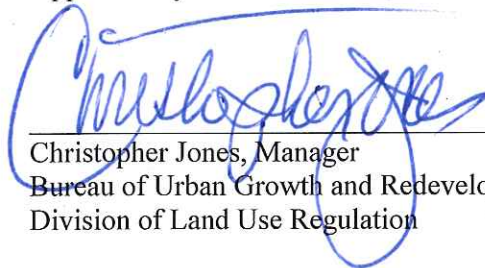
“STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION, PLANS OF ROUTE 49, SARAH RUN DRIVE TO GARRISON LANE, PAVEMENT CONTRACT NO. 018114230. APPLICATION FOR NJDEP FRESHWATER WETLANDS TRANSITION AREA WAIVER, STOW CREEK TOWNSHIP, SHILOH BOROUGH, HOPEWELL TOWNSHIP, BRIDGETON CITY, FAIRFIELD TOWNSHIP, MILLVILLE CITY, QUINTON TOWNSHIP, CUMBERLAND COUNTY, SALEM COUNTY”,

- “FRESHWATER WETLANDS PERMIT PLAN”, sheets 1, 9, and 40.

In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department’s website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

If you need clarification on any section of this permit or conditions, please contact the Division of Land Use Regulation’s Technical Support Call Center at (609) 777-0454.

Approved By:



 Christopher Jones, Manager
 Bureau of Urban Growth and Redevelopment
 Division of Land Use Regulation

_____ Date 7/27/18

Original sent to Agent to record
c: Permittee